HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.23375 OF 2006

DATE: 09-11-2006

Between:

M. Kristappa S/o. M. Ramaiah,
aged 50 years, R/o. Kodipalli village,
Lepakshi Mandal, Ananthapur District.

.. Petitioner

AND

The Joint Collector,
Ananthapur District
& two others

.. Respondents

ORDER:

It appears that the petitioner is a Fair Price Shop Dealer and when his authorization held against Fair Price Shop of Kodipalli Village, Lepakshi Mandal, Penukonda Division, Anantapur District was suspended by order dated
31-10-2006, assailing the same, he filed an appeal before respondent No.1-Joint Collector, Ananthapur District. Though the appeal filed by the petitioner was taken up on file, the stay petition filed along with the appeal is pending and no orders were passed in the said stay petition. While pending the appeal, petitioner filed the present writ petition stating that the charges levelled against the petitioner are very trivial in nature, therefore the question of suspending the authorization of the petitioner does not arise.

On an examination of the charges, *prima facie* I am of the opinion that the charges levelled against the petitioner are not only minor but also trivial in nature and may be an enquiry needs to be conducted into such allegations but that itself does not mean that the authorization of the petitioner needs to be suspended in view of those charges.

In the facts and circumstances and in view of the statutory appeal already been filed by the petitioner before the Joint Collector, Ananthapur, I deem it appropriate to direct him to dispose of the appeal filed by the petitioner within a period of eight (8) weeks from the date of receipt of this order and during the pendency of the appeal, the impugned order dated 31-10-2006 shall not be given effect to.

With the above directions, the Writ Petition is disposed of. No order as to costs.

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C.V. RAMULU, J

Date:09-11-2006.

NOTE:

Furnish C.C. of the order
by **WIRE** at party's costs.

(**B/O**)
PV